



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

December 20, 2011

Summit Water Distribution Company
c/o John Flitton
1840 Sun Peak Drive, Suite B-102
Park City, UT 84098

Dear John:

Thank you for submitting Summit Water Distribution Company's 2012 Water Use Plan. The purpose of these plans is to help bring order and certainty to water use by helping water users remain within the limitations of their water rights and to help coordinate this effort among those who rely on this information to operate the distribution system. After reviewing your 2012 plan and the water rights, we have a few questions/concerns as follows:

- The limit of water right number 35-5360 is 448 ac-ft.
- The limit of water right number 35-5778 a10975 is 411.2 ac-ft.
- The limit under right 35-11696 a18524 remains at 1000 ac-ft, but this use also requires a contract be maintained with Davis and Weber Counties Canal Company.
- The limit of water right 35-9738 is 147.42 ac-ft if the change application is withdrawn, but only 98.23 ac-ft under the change as approved.
- Your proposed 2012 plan indicated 453 ac-ft used at the Jeremy Ranch Golf Course under Water Right 35-9640. Water deliveries under E3109 (35-9640) must be limited to lower of (1) 435 ac-ft or (2) the Weber Basin WCD storage contract amount. It is my understanding that the golf course doesn't necessarily use the full 435 ac-ft and any water not used is diverted/used downstream by Summit Water Distribution Company shareholders. Please identify the points of diversion where this exchange water is diverted, the amount of planned use at each point, the contract number(s) and the contract ac-ft storage amount associated with this exchange water right.
- Please include the change application numbers whenever they apply to the water being used.
- Water diverted at East Canyon WTP under water right 35-8484 is also subject to approved change a10998, which changed the type of use from irrigation to domestic. It also changed the authorized point of diversion (POD) from the East Canyon WTP to the Rest Stop Well (Well ID No. 2109). Change Application a10998 was approved to divert the water only at the well, not the treatment plant, so we modified your plan accordingly.
- Until Summit Water Distribution Company obtains valid title and/or updates our ownership information records on the water right files, we cannot be certain the following water rights are not rightfully being used by others: Water Right 35-9030 a13520 (36 ac-ft) and Water Right 35-8411 (169.7 ac-ft).
- Water Right a25233 does not include the Storage Well as a valid POD, so this 100 ac-ft of use was moved to F-7 Well, which is an approved POD.



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Each water right has conditions, limitations and/or requirements that apply "independently" of the use plan. The use plan should summarize the limits of water available or planned to be diverted at each POD and used under valid water rights.

Enclosed is a copy of your approved 2012 Water Use Plan, after making a few adjustments based on our preliminary review. Please review this proposed plan and submit any information and/or documentation that will help improve and validate it. Examples include storage water exchange contracts, updating ownership records, and identifying the applicable change applications. This may also include notifying our office if there are errors in our water right database.

If changes are required anytime during 2012, please submit an amended plan for our review and approval prior to implementing the changes.

If you have questions regarding the status of these water rights, please call Ross Hansen, Regional Engineer, Weber River/Western Regional Office, at (801) 538-7397. If you have questions regarding the approved 2011 Water Use Plan and/or plan implementation, please call me at (801) 538-7469 or Jared Manning at (801) 538-7380. Thank you for Summit Water Distribution Company's continued planning efforts.

Sincerely,



Ben L. Anderson, P.E.
Distribution Engineer, Field Services

Enclosure

cc: Jared Manning, Assistant State Engineer for Field Services
Ross Hansen, Regional Engineer
Jim Wells, Water Commissioner
Terry Murphy, Deputy Water Commissioner
Van Martin, Summit Water Distribution Company